

Message Text

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LIMDIS

FOR EUR/EE

BELGRADE ALSO FOR USDEL CSCE

E.O. 11652: GDS
TAGS: SHUM, BU, PFOR
SUBJECT: HUMAN RIGHTS: COUNTRY ACTION PLAN FOR BULGARIA

REF: A) STATE 124496; B) STATE 124498; C) FELDMAN TO SCHMIDT
OFFICIAL-INFORMAL LETTER OF MARCH 24, 1977

1. SUMMARY: WORKING FROM EUR/EE'S EXCELLENT DRAFT (REF A)
AND DEPARTMENT'S OUTLINE (REF B), EMBASSY PROPOSES FOLLOWING
AMENDED HUMAN RIGHTS COUNTRY ACTION PLAN FOR BULGARIA. END
SUMMARY.

2. A. CONDITION OF HUMAN RIGHTS IN COUNTRY:

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ALTHOUGH EVEN BEFORE THE ADVENT OF COMMUNISM BULGARIAN
GOVERNMENTS WERE NOT NOTABLE FOR RESPECTING INTEGRITY OF THE
INDIVIDUAL, THE BULGARIANS AS A PEOPLE ARE STILL VERY
MUCH AWARE OF THE SIGNIFICANCE OF SUCH BASIC RIGHTS AS
ABILITY TO RESIDE AND WORK WHERE ONE WISHES, TO SPEAK
AND PUBLISH FREELY, TO TRAVEL, TO SEEK REDRESS OF GRIEV-
ANCES THROUGH ADMINISTRATIVE OR JUDICIAL PROCEDURES, ETC.

UNDER PRESENT COMMUNIST SYSTEM OF GOVERNMENT, ALL OF THESE BASIC RIGHTS ARE SEVERELY CIRCUMSCRIBED UNDER CONCEPT OF SUBORDINATION OF INDIVIDUAL TO STATE. IN ADDITION, THOSE RIGHTS WHICH ARE TACITLY ACKNOWLEDGED ARE ALSO ACCORDED UNEQUALLY TO VARIOUS ELEMENTS IN BULGARIAN SOCIETY.

1. RESPECT FOR INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM TORTURE, CRUEL, INHUMAN OR DEGRADING PUNISHMENT, ARBITRARY ARREST OF IMPRISONMENT, DENIAL OF FAIR, PUBLIC TRIAL, AND INVASION OF THE HOME: LITTLE CURRENT HARD INFORMATION IS AVAILABLE ON BULGARIAN POLICE PRACTICES. HOWEVER, THE POST-WAR HISTORY OF THE CONSOLIDATION OF BULGARIAN COMMUNIST PARTY POWER IS REplete WITH EXAMPLES OF UNSPEAKABLE ACTS AND THERE IS LITTLE REASON TO BELIEVE THAT THINGS HAVE CHANGED -- EXCEPT THAT THE NEED FOR REPRESSION HAS DECREASED OVER THE YEARS AS ACCEPTANCE OF THE REGIME HAS INCREASED. BULGARIAN SECURITY APPARATUS IS TRAINED AND TO SOME EXTENT DIRECTED BY SOVIET KGB, AND, ALTHOUGH THE BULGARIAN CHARACTER IS SLIGHTLY LESS SEVERE, THERE IS LITTLE REASON TO BELIEVE THAT BULGARIAN DURZHAVEN SEGURNOST (DS) WOULD BE LOATHE TO FOLLOW SOVIET PRACTICES. IT APPEARS THAT BULGARIA ALSO FOLLOWS PRACTICE OF CONFINING SOME POLITICAL DISSIDENTS TO PSYCHIATRIC HOSPITALS, ALTHOUGH THIS IS DIFFICULT TO DOCUMENT. ARREST AND IMPRISONMENT ARE FREQUENTLY SECRET AND ARBITRARY. JUDICIAL PROCESS IS THOROUGHLY POLITICIZED. THERE ARE VIRTUALLY NO RESTRAINTS ON ACTIVITIES OF SECURITY FORCES.

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1. RESPECT FOR CIVIL AND POLITICAL LIBERTIES:

A. FREEDOM OF THOUGHT, RELIGION, ASSEMBLY:
THOUGHT, RELIGION, AND ASSEMBLY FREEDOMS ARE SEVERELY CIRCUMSCRIBED. THE PARTY CONTROLS ALL MEDIA OF EXPRESSION AND HAS SUCCEEDED TO LARGE DEGREE EVEN IN STUNTING GROWTH OF SAMIZDAT. RIGHT OF ASSEMBLY DOES NOT EXIST, EXCEPT WITHIN PARTY PARAMETERS. CONSISTENT WITH THE CONSTRUCTIVE ROLE THE CHURCH PLAYED IN BULGARIAN LIBERATION STRUGGLES, THE BULGARIAN ORTHODOX CHURCH IS ACTIVELY PRESERVED BY GOB AS PART OF HISTORICAL AND CULTURAL HERITAGE OF COUNTRY; IT HAS NOT BEEN AND IS NOT PERCEIVED AS AN ENEMY OF PRESENT GOVERNMENT. OTHER FAITHS ALSO HAVE BEEN AND ARE GENERALLY TOLERATED BY GOB. HOWEVER, ALL RELIGION IS OFFICIALLY BUT QUIETLY DISCOURAGED. STATISTICAL EVIDENCE IS NOT AVAILABLE, BUT IT APPEARS THAT CHURCH ATTENDANCE HAS BEEN RISING SLIGHTLY IN RECENT YEARS, INCLUDING AMONG YOUNGER PEOPLE. IT IS BECOMING FASHIONABLE, FOR EXAMPLE, FOR SOFIA YOUNG ELITE TO BE MARRIED

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BOTH IN CIVIL MARRIAGE CENTER AND IN CHURCH.

B. FREEDOM OF MOVEMENT WITHIN COUNTRY, FOREIGN TRAVEL, AND EMIGRATION POLICIES: FREEDOM OF MOVEMENT WITHIN COUNTRY IS GENERALLY UNRESTRICTED, BUT EACH CITIZEN MUST CARRY INTERNAL PASSPORT WHICH HE MAY BE CALLED UPON TO PRODUCE AT ANY TIME BY VARIETY OF UNIFORMED AND OTHER OFFICIALS. PLACE OF RESIDENCE IS STRICTLY REGULATED, ESPECIALLY IN URBAN AREAS. TRAVEL AND EMIGRATION ARE STRICTLY CONTROLLED. EMIGRATION REGULATION IS ADMINISTERED WITHOUT REGARD TO ETHNIC OR RELIGIOUS GROUP, WITH IMPORTANT EXCEPTION OF 800,000- STRONG TURKISH MINORITY (WHICH GOB WOULD LIKE TO "THIN OUT" THROUGH CONTROLLED EMIGRATION TO TURKEY). RECENT CSCE-RELATED RELAXATION ON EMIGRATION RELATES TO FAMILY REUNIFICATION
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AND IS PROBABLY ONE-TIME CLEARING OF DECKS, NOT A RIGHT TO EMIGRATE NOW GENERALLY ACCORDED BULGARIAN CITIZENS. HOWEVER, BULGARIANS ARE TRAVELLING MORE NOW, PARTLY AS A FUNCTION OF INCREASING AFFLUENCE. AT SAME TIME, FOREIGN TRAVEL, ESPECIALLY TO THE WEST, IS STILL CLEARLY PERCEIVED AS A PRIVILEGE, NOT A RIGHT, AND IS GRANTED IN ACCORDANCE WITH THE GOB'S ASSESSMENT OF A GIVEN PERSON'S POLITICAL RELIABILITY.

C. DEMOCRATIC PROCESSES ASSURING FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS: BULGARIA HAS UNIVERSAL ADULT SUFFRAGE AND VOTING FOR SINGLE SLATE ON BALLOT IS CONSIDERED CIVIC OBLIGATION, WITH TURNOUTS ALWAYS RUNNING ABOVE 99 PERCENT. DESPITE STRUCTURAL EXISTENCE OF TWO PARTIES BCP AND BULGARIAN AGRARIAN PEOPLE'S UNION - ALL POLITICAL POWER IN COUNTRY RESIDES IN HANDS OF BCP AND ITS SECURITY APPARATUS.

3. SOCIAL AND ECONOMIC RIGHTS:

A. PARTY AND GOVERNMENT ARE COMMITTED TO FULFILLING BASIC ECONOMIC AND SOCIAL NEEDS OF BULGARIAN PEOPLE AND, IN FACT, HAVE SUCCEEDED IN BRINGING ABOUT VERY SUBSTANTIAL IMPROVEMENT IN MATERIAL CONDITIONS OF LIFE IN TERMS OF INCREASED ACCESS TO EDUCATION, HEALTH, AND OTHER SOCIAL SERVICES. STEADY RISE IN PER CAPITA INCOME FIGURE OVER PAST THIRTY YEARS IS PROBABLY ONE OF THE PRINCIPAL FACTORS FOR THE RELATIVELY HIGH DEGREE OF ACCEPTANCE OF THE REGIME (COMPARED TO THOSE OF OTHER MEMBERS OF THE WARSAW PACT), THE TRADITION OF FRIENDSHIP WITH RUSSIA BEING ANOTHER IMPORTANT FACTOR.

B. CORRUPTION: STANDARD OF LIVING OF BULGARIA'S COMMUNIST ELITE IS CONSPICUOUSLY HIGHER THAN THAT OF GENERAL MASS OF PEOPLE, BUT ONLY IN MOST GENERAL SENSE COULD IT BE CONSIDERED TO DIVERT SIGNIFICANT RESOURCES

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FROM SOCIAL PROGRAMS.

4. THE GOVERNMENT IS FULLY RESPONSIBLE FOR ITS HUMAN RIGHTS RECORD. IT WOULD MAINTAIN THAT NATURE OF THE SOCIALIST SYSTEM PRECLUDES VIOLATION OF "TRUE" HUMAN RIGHTS.

5. GOB WOULD ABSOLUTELY REFUSE ANY OUTSIDE INVESTIGATION OF ITS HUMAN RIGHTS PERFORMANCE.

3. B. ANALYSIS AND RECOMMENDATIONS:

IN GENERAL, IT IS EXTREMELY DIFFICULT TO IMAGINE THE BULGARIAN GOVERNMENT IN ANY WAY ACKNOWLEDGING THAT US HAS ANY VALID INTEREST WHATSOEVER IN HOW IT TREATS ITS CITIZENS. WHAT SCANT HOPE THERE IS FOR IMPROVING ITS HUMAN RIGHTS PERFORMANCE RESIDES IN THE FACT THAT FROM TIME TO TIME THEY WANT SOMETHING FROM US, SUCH AS, FOR EXAMPLE, MFN. IN THAT CONTEXT THEY MIGHT CHOOSE TO BEHAVE BETTER THAN USUAL IN MATTERS THAT THEY CAN SEE TO BE OF CLEAR BILATERAL RELEVANCE, SUCH AS DIVIDED FAMILIES. ALSO, THEY DO NOT LIKE TO BE ATTACKED IN INTERNATIONAL FORUMS, ALTHOUGH THEIR GENERAL RESPONSE IS TO ATTACK THE ATTACKER RATHER THAN TO TAKE ACTION THAT WOULD SEEM TO RESPOND TO THE CHARGE AGAINST THEM. GOB HAS TAKEN CERTAIN MINOR STEPS IN ANTICIPATION OF THE BELGRADE CSCE CONFERENCE WHICH COULD BE SAID TO REPRESENT MODEST ENRICHMENT OF THE SPIRITUAL LIVES OF THEIR CITIZENS, SUCH AS SLIGHTLY INCREASING AVAILABILITY OF WESTERN MEDIA PRODUCTS, MORE TRANSLATIONS OF CONTEMPORARY LITERATURE, INCREASE IN FOREIGN, NON-COMMUNIST ART EXHIBITIONS AND CULTURAL PRESENTATIONS. NONE OF THESE ACTIONS, HOWEVER, PERTAIN TO THE BULK OF WHAT IS GENERALLY PERCEIVED AS HUMAN

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RIGHTS.

FOREIGN AGITATION OF THE ISSUE OF HUMAN RIGHTS IS USED BY THE BULGARIAN GOVERNMENT AS A PRETEXT (AND MAY EVEN, TO SOME EXTENT, BE A GENUINE REASON) FOR HARDENING ITS CONTROLS OVER THE POPULACE. THIS IS NOT TO SAY THAT THERE IS ANY CERTAINTY THAT RELAXATION OF THE WESTERN POSITIONS ON HUMAN RIGHTS WOULD LEAD THE GOVERNMENT TO RELAX ITS CONTROLS. ALTHOUGH IT IS PROBABLY THE MOST SECURELY ESTABLISHED COMMUNIST GOVERNMENT IN EASTERN EUROPE, GOB OFTEN BEHAVES AS IF ADDING TO THE ENJOYMENT OF HUMAN RIGHTS BY ITS CITIZENS WOULD ENTAIL A CLEAR AND PRESENT DANGER TO THE COMMUNIST REGIME. ANY GRAPHIC PRESENTATION OF THE RIGHTS ENJOYED BY AMERICAN CITIZENS OBVIOUSLY HIGHLIGHTS BY CONTRAST THE RIGHTS THAT BUL-
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GARIANS LACK. WHILE THERE ARE NO DOUBT ELEMENTS IN BULGARIA THAT WOULD PRESS FOR INCREASED ENJOYMENT OF HUMAN RIGHTS, MEMBERSHIP IN BULGARIA'S ELITE APPEARS STILL TOO TENUOUS TO PERMIT EVOLUTION OF GROUP OR INDIVIDUAL "CONSTITUTIONALISTS" WHO MIGHT PUBLICLY INSIST THAT A GOOD COMMUNIST BULGARIA SHOULD PERMIT BROADER CIVIL RIGHTS THAN EXIST AT PRESENT.

1. SPECIFIC, LEGITIMATE US OBJECTIVES:

A. IMPROVED JOURNALISTIC COVERAGE: ONE OF MOST EFFECTIVE WAYS OF IMPROVING BULGARIAN PERFORMANCE IN HUMAN RIGHTS AREA, BOTH SHORT AND LONG TERM, WOULD BE TO INCREASE NUMBER OF AMERICAN OR OTHER WESTERN JOURNALISTS EITHER RESIDENT IN OR ACTIVELY COVERING BULGARIA (PRESENTLY ZERO). SYMBIOTIC RELATIONSHIP BETWEEN WESTERN PRESS CORPS AND CIVIL RIGHTS ACTIVISTS IN SOVIET UNION HAS NO PARALLEL HERE. GOB CAN GET AWAY WITH PRACTICALLY WHATEVER IT LIKES. FEW FOREIGN REPORTERS EVEN VISIT, AND GENERAL REPORTING OF BULGARIAN AFFAIRS FROM OUTSIDE IS OF ABYSMAL QUALITY. GOB IS BOUND THROUGH CSCE TO AGREE TO FAIRLY FREE JOURNALISTIC ACCESS TO COUNTRY, AND USG WOULD BE IN STRONG POSITION TO INSIST IF THEY REFUSED. DIFFICULTY WOULD BE IN PERSUADING WESTERN MEDIA THAT ENOUGH HAPPENS IN BULGARIA TO MAKE IT WORTH HAVING RESIDENT OR FREQUENTLY VISITING CORRESPONDENT.

B. FREEDOM OF TRAVEL: WE SHOULD CONTINUE TO PRESS BULGARIANS FOR GREATER FREEDOM OF TRAVEL IN BOTH BILATERAL AND MULTILATERAL DIPLOMATIC CONTEXTS. GOB

HAS ALREADY GIVEN SOME GROUND ON THIS ISSUE, ALTHOUGH WE MUST BEAR IN MIND THAT BULGARIAN PERCEPTION OF SOME LEGITIMATE US INTEREST IN THAT AREA APPLIES ONLY TO DIVIDED FAMILIES, WITH SOMEONE IN AMERICA HAVING DIRECT LINK TO PROPOSED BULGARIAN TRAVELLER. WITHOUT THAT TAG, CONFIDENTIAL

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WE WOULD RECEIVE VERY SHORT SHRIFT IN ANY ATTEMPT TO INFLUENCE GOB POLICIES AND PRACTICES REGARDING TRAVEL. HOWEVER THE CSCE CONTEXT GIVES US LEGITIMATE GROUNDS FOR PRESSING THIS THEME.

C. SENSITIVE, SUBTLE NURTURING OF GROWTH OF UNDERSTANDING OF HUMAN RIGHTS AMONG BULGARIAN LEADERSHIP AND PEOPLE: WE SHOULD CONTINUE TO INCREASE CONTACTS WITH BULGARIAN LEADERSHIP AND ESPECIALLY THE SUB-ELITE AND THEIR KNOWLEDGE OF WESTERN CONCEPTS OF HUMAN RIGHTS. THROUGH PUBLIC AFFAIRS PROGRAMMING AND THROUGH DISCUSSION IN FORMAL AND INFORMAL PRIVATE MEETINGS WE CAN MAKE CLEAR THAT US HUMAN RIGHTS CONCERNS ARE INTEGRAL PART OF OVERALL US FOREIGN POLICY, WITH CLEAR RELEVANCE TO AREAS OF SPECIFIC BILATERAL INTEREST TO GOB. IN A SENSE WE PURSUE THAT OBJECTIVE IN IMPROVING AND INCREASING BILATERAL RELATIONS WITH BULGARIA IN FIELDS OF CULTURE, TRADE, SCIENCE, ETC. AND VIA THE DEMONSTRATION EFFECT OF INCREASED EXCHANGES OF PEOPLE AND PRODUCTS. CLEARLY, THIS OBJECTIVE WILL HAVE TO BE PURSUED WITH CAREFUL CONTINUING ASSESSMENT OF WHAT THE TRAFFIC WILL BEAR SINCE BULGARIANS ARE FULLY CAPABLE OF SHARPLY RETROGRADE ACTION, IF PROVOKED.

2. BULGARIAN REACTION: IT IS TRUE THAT TO DEGREE THAT GUB PERCEIVES NEW US HUMAN RIGHTS POLICY AS DIRECTED AGAINST BULGARIAN OR OTHER COMMUNIST REGIMES IT REGARDS IT AS UNWELCOME, PRESUMPTUOUS INTERFERENCE IN INTERNAL AFFAIRS, INCONSISTENT WITH OUR UNDERTAKINGS IN CSCE FINAL ACT. GOB LISTENS TO BUT DOES NOT SELCOME

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OUR QUIET EXPOSITIONS ON HUMAN RIGHTS POLICY. AT BEST IT REGARDS THEM AS INEVITABLE PART OF CONTINUING IDEOLOGICAL STRUGGLE BETWEEN DIFFERING SOCIAL SYSTEMS. YET A REAL AUDIENCE FOR HUMAN RIGHTS MESSAGE EXISTS AMONG INTELLECTUALS, PROFESSIONAL PEOPLE, AND SOME OTHER MEMBERS OF SUB-ELITE WHO WELCOME IT AS AN EXPRESSION OF WHAT THEY THEMSELVES DO NOT YET FEEL THEY CAN SAY WITHOUT PROVOKING RETRIBUTION FROM THE REGIME.

3. IMPACT ON HUMAN RIGHTS CONDITION IN BULGARIA:

IT SHOULD BE CLEARLY UNDERSTOOD THAT ANY IMPACT ON ACTUAL HUMAN RIGHTS SITUATION IN BULGARIA WHICH US ACTIONS MIGHT HAVE WOULD ALMOST CERTAINLY BE SLOW, NON-ATTRIBUTABLE, AND PROBABLY VERY SMALL -- SINCE IF IT WERE TO BE LARGE, CONFIDENTIAL

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IT WOULD INEVITABLY POSE A THREAT TO THE PRESENT GOVERNMENT AND WOULD BE REVERSED. WE SHOULD NEITHER ENCOURAGE NOR EXPECT INDIVIDUAL BULGARIANS TO MOVE INTO MORE OPEN CONFRONTATION WITH THEIR GOVERNMENT. INEVITABLE RESULT OF THAT WOULD BE MORE SEVERE REPRESSION AND SHARP REVERSAL OF ANY FORWARD PROGRESS THAT MIGHT HAVE BEEN MADE IN HUMAN RIGHTS.

4. NO BASIC CONFLICT EXISTS BETWEEN QUIET, MEASURED PURSUIT OF THREE US HUMAN RIGHTS OBJECTIVES DESCRIBED ABOVE AND PURSUIT OF OTHER US INTERESTS IN BULGARIA. INCREASED CONTACT IN PURSUIT OF HUMAN RIGHTS OBJECTIVES

IS NOT INCONSISTENT WITH PURSUIT OF BILATERAL
US COMMERCIAL, CULTURAL, AND OTHER INTERESTS IN BUL-
GARIA. PERHAPS OUR STRONGEST CARD AT THIS TIME, FOR
EXAMPLE, IS THE ARGUMENT THAT IT WOULD BE VERY DIFFICULT
TO URGE OUR CONGRESS TO GRANT MFN TREATMENT TO A BULGARIA
WITH A WIDELY PUBLICIZED, BAD RECORD ON HUMAN RIGHTS.
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